

REMARKS

The Applicants have carefully reviewed and considered the Examiner's Action mailed September 20, 2004. Reconsideration is respectfully requested in view of the following comments.

By this Response, no amendments are made to the claims. Accordingly, claims 1-13 are pending in the present application.

Claims 1, 4 and 6-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the alleged admitted prior art (specification pages 1-3) in view of U.S. Patent No. 3,410,250 to Kulie, et al (hereinafter referred to as "Kulie") and U.S. Patent No. 5,788,270 to Håland et al (hereinafter referred to as "Håland") as explained in paragraph 4 spanning pages 2-4 of the Action. Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the alleged admitted prior art in view of Kulie and Håland and further in view of U.S. Patent No. 4,994,225 to Davis as explained in paragraph 5 of the Action. Claims 1-3 and 8-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the alleged admitted prior art in view of JP 601569032 to Yamauchi, Håland and U.S. Patent No. 4,997,502 to Schnaars as explained in paragraph 6, spanning pages 5-7 of the Action. Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the alleged admitted prior art in view of Yamauchi and Schnaars and further in view of Davis for the reasons set forth in paragraph 7 of the Action. Claims 7 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the alleged prior art in view of Yamauchi and Schnaars and further in view of U.S. Patent No. 2,288,454 to Hobson as explained in paragraph 9 of the Action. These rejections are respectfully traversed.

Contrary to the Action's position, pages 1-3 of Applicants' specification is **not** prior art. Nowhere do the Applicants state that all of the disclosure on pages 1-3 is conventional (i.e., prior art). The only portion of Applicants' own disclosure that identifies arrangements as prior art is the sentences spanning page 1, line 16 through page 2, line 4 of the specification. These sentences identify an arrangement as "conventional" and then describes these air-bags. The other portions of pages 1-3 of Applicants' specification disclose Applicants' analysis of problems associated with prior arrangements. Consequently, except for the small portion of Applicants' disclosure that describes "conventional" arrangements, pages 1-3 of Applicants' specification are not available as prior art.

Section 2129 of the Manual of Patent Examining Procedure is directed to Admissions by Applicant Constitute Prior Art. This section clearly states that "A statement by an applicant during prosecution identifying work of another as 'prior art' is an admission that that work is available as prior art against the claims...". This is not the situation in the present application as Applicants do not state or identify pages 1-3 of their own disclosure as the work of another. Thus, the situation in *Riverside Int'l Corp. v. R.A. Jones & Co.*, 324 F.3d 1346, 1354 is not present, and Applicants' own disclosure cannot be used as prior art because it was not published prior to the filing of the U.S. application. Therefore, the passages of the Application referred to by the Examiner are inadmissible as prior art, except for the two sentences that identify conventional arrangements.

With respect to the rejection of claims 1,4 and 6-13, the Examiner relies on Applicants' own disclosure at page 3, lines 1-8 of the rejection. Applicants do say that "it

is conventional to provide the fabric with a coating of sealant material” to improve gas-tightness of the fabric; but do **not say** that “an interior coating ensures integrity and gas-tightness” is conventional. The sentences following the conventional arrangements **disclose Applicants’ analysis of these prior art arrangements**. Nowhere does Applicants’ disclosure attribute those comments to another. Thus, the disclosure spanning page 2, line 5 through page 3, line 23 of Applicants’ specification is Applicants’ own work and is not admissible as prior art.

The Background of the Invention includes a section describing the field of the invention, which is clearly not prior art. Thus, information listed under the section heading Background of the Invention is not an admission that those passages are the work of another. Accordingly, page 1, lines 1-15 is Applicants’ own work and is not admissible as prior art.

Nowhere does Applicants’ Response that was filed on February 24, 2004 identify a work of another. To the contrary, the Response is referring to the Action’s use of **Applicants’ own work against the Applicants**. Perhaps the Response at page 7, lines 4-9 should have stated: Applicants disclose on pages 1-3 of the specification that an air-bag is of a complex form and cannot be readily turned out. Applicants’ disclosure teaches that the coating has to be applied to the exterior of the air-bag. That is, Applicants’ disclosure teaches that an air-bag formed with a plurality of chambers must be coated to the exterior of the air-bag. It is respectfully submitted that a reference to pages of Applicants’ own specification is not an admission of work of another. Thus, the characterization of Applicants’ response as described in the Action is erroneous.

In view of the above, the only passage on pages 1-3 which describes prior art arrangements is:

In order to improve the gas-tightness of the fabric that makes an air-bag, it is conventional to provide the fabric with a coating of sealant material such as a silicone rubber. In certain air-bags, such as air-bags intended to provide protection for the driver or the front seat occupant of the vehicle in the event that a front impact should occur, the air-bag is initially fabricated with the coating on the exterior of the air-bag and then the air bag is turned inside-out before being installed in the motor vehicle
(Page 1, line 16 – Page 2, line 4 of Applicants' specification)

Thus, the above is the only admitted prior art and the rest of Applicants' disclosure is their own analysis and disclosure of problems associated with known air-bag arrangement. It is respectfully submitted that the above passages only can be referred to in the Action and modified by the references described in the Action.

Independent claims 1, 11 and 12 recite a method of fabricating an air-bag that includes (1) forming an air-bag with a plurality of inflatable cells that are separated from one another by seams; (2) introducing a sealant into **an interior of the air-bag** and **blowing the sealant into contact with the interior of each inflatable cell of the air-bag** with a propellant gas so the sealant material forms a sealant layer on the interior of each inflatable cell of the air-bag.

As discussed above, the only admitted prior art on pages 1-3 of Applicants' specification discloses an air-bag where a sealant coating is provided on the exterior of an air-bag, which is reversed so that the exterior becomes the interior. Nowhere does the above described admitted prior art (page 1, line 6 through page 2, line 4 of Applicants' specification) disclose a method of introducing sealant into the interior of a air-bag and then blowing the sealant into contact with each individual cell of the air-bag. The Action

acknowledges that the admitted prior art teaches a typical process that coats the outside of an air-bag and then turns the bag inside out. Applicants respectfully disagree with the Action's characterization of coating a *preformed* bag, as Applicants' disclosure does not mention a preformed bag as being conventional.

The secondary reference to Kulie is directed to an arrangement for spraying the inside of containers in order to house electrical components and **not** a method of fabricating an air-bag. Accordingly, Kulie cannot provide a teaching of spraying **the interior of an air-bag with a plurality of inflatable cells**. Kulie merely teaches a spraying nozzle assembly for the packaging of an electrical circuit within containers. As shown in Figs. 1-3, Kulie teaches spraying a resin from a nozzle 43 into a single container 10. There is no disclosure of blowing the sealant into contact with each inflatable cell of an air-bag. Nowhere does Kulie disclose, teach or even suggest a spray nozzle assembly for introducing a sealant into an interior of an air-bag and blowing the sealant into contact with the interior of each inflatable cell of the air-bag with a propellant gas as required by independent claims 1, 11 and 12.

Further, as argued in the February 24, 2004 Response, the admitted prior art (Page 1, line 16 through Page 2, line 4 of Applicants' specification) teaches the opposite of the claimed invention. A method of applying sealant coating to an exterior of an air-bag and then turning the same inside out. Kulie does not cure the missing features as it is directed to forming a "dielectric lining that is both hard and impervious to moisture" (Column 1, lines 49-50 of Kulie) to protect electronic components which are subsequently housed within the container. Kulie does not teach or suggest a method of fabricating an air-bag as claimed by Applicants; but, is directed to the field of electrical components. Even if one

of ordinary skill in the art were to read Kulie, there is no indication in Kulie that the hard and impervious dielectric lining employed in Kulie would be suitable for a lightweight air-bag. Thus, teachings of 1) applying sealant coating to **the interior of an air-bag** and 2) **blowing the sealant into contact with the interior of each inflatable cell of the air-bag with a propellant gas** are missing from the available prior art of record.

The other secondary reference to Håland does disclose a side impact air-bag having a “plurality of inflatable cells that are separated from one another by seams”. However, Håland is concerned with the mechanism for deploying the air-bag in the event of an accident. Håland does not provide any teaching or suggestion as to how the air-bag is fabricated, let alone sealed by a coating as recited in Applicants’ independent claims. That is, Håland does not disclose, suggest or even hint at whether or not its air-bag is sealed, let alone a method for sealing an air-bag. Accordingly, Håland does not provide the missing features, nor does it provide a suggestion to modify the spraying nozzle for sealing electrical components in resin as taught by Kulie.

With respect to claims 7 and 12, there is no teaching in any of the prior art of record of heating propellant gas that blows sealant material to form a sealant layer on the interior of each inflatable cell of the air-bag. Nowhere does the passage spanning page 1, line 16 through page 2, line 4 of Applicants’ specification, Kulie or Håland disclose that heating either the bag or the propellant gas as suggested in the Action. Accordingly, there is no support for the conclusionary statement that heating the propellant gas would have been obvious.

Davis is directed to a method and apparatus for protecting an occupant of a vehicle during a collision via an inflatable confinement made of fabric to which an

elastomer coating has been applied. According to Davis, the fabric is applied over a mold which is followed by an application of an elastomer layer. Thus, Davis teaches applying an elastomer layer to the exterior of the fabric molded bag. That is, Davis, like Applicants' disclosure spanning page 1, line 16 to page 2, line 4 is directed to a conventional air-bag, which applies a coating to the exterior of the fabric molded bag. Accordingly, Davis teaches against applying an elastomer coating to an interior of an air-bag, let alone to the interior of each inflatable cell of the air-bag. Consequently, Davis cannot cure the defects of the admitted prior art (page 1, line 16 to page 2, line 4 of Applicants' specification), Kulie, and Håland. This is especially true where the admitted prior art and Davis (directed to a method of fabricating air-bags teach against the claimed invention). Thus, it is respectfully submitted that no combination of the admitted prior art (page 1, line 16 to page 2, line 4 of Applicants' specification), Kulie, Håland and Davis render Applicants' invention obvious.

Yamauchi is directed to the manufacture of an air bag for a vehicle seat where an outer cover material 12 for shape preservation includes a pair of rigid, arcuate plates, which clamp together around a cylindrical parison 13, as shown in Fig. 2. An air nozzle 14 supplies air to the parison 13 to fix the shape of the parison to the shaping space or mold 10. Thus, Yamauchi does not disclose coating an air-bag with a sealant using nozzle 14, but the shaping of the parison 13 to form the air-bag. That is, parison 13 is the air-bag that is formed by the method disclosed by Yamauchi. Attached is a copy of the Japanese Abstract for JP 60-159032.

As argued above, Yamauchi does not disclose a method of coating the interior of an air-bag, but a method of shaping a parison into an air-bag. Thus, contrary to the

Action's assertion, Yamauchi does not teach an interior parison coating process for airbags. The outer cover material 12 serves as a mold and is not an incomplete air-bag as suggested in the Action. Thus, the features of 1) applying sealant coating to **the interior of an air-bag** and 2) **blowing the sealant into contact with the interior of each inflatable cell of the air-bag with a propellant gas** are missing from Yamauchi.


The secondary reference to Schnaars, as argued previously, is directed to a method for forming a bag that is used as a fabric bulk bag for transporting dry or liquid bulk. Nowhere does Schnaars disclose, teach or even suggest forming an air-bag from at least one layer of fabric where the airbag is formed with a plurality of inflatable cells that are separated from one another by seams. In fact, Schnaars only discloses a bulk bag 72 with a single chamber. There are no seams connecting this single chamber to another inflatable chamber. It is the plurality of inflatable cells that define the air-bag recited in the independent claims of the present application. Since Schnaars does not disclose a bag having a plurality of inflatable cells that are separate from one another by seams, Schnaars cannot suggest to one of ordinary skill in the art to **blow the sealant into contact with the interior of each inflatable cell of the air-bag with a propellant gas**, as recited in Applicants' independent claims. The prior art of record that does address the fabrication of air-bags and the coating of sealant for airbags teaches that the coating should be placed on the exterior of the air-bag. Schnaars is directed to a different technical field and does not address issues associated with an air-bag having a plurality of inflatable cells that are separated from one another by seams. Thus, the second portion of the claim dealing with blowing sealant into contact with each inflatable cell is not taught by Schnaars.

Hobson is directed to a method of forming hollow articles of plastic material. Accordingly, Hobson does not provide a teaching or suggesting for coating an interior of an air-bag with a plurality of inflatable cells as claimed by Applicants. Consequently, Hobson cannot render the claimed invention obvious.

For the above stated reasons, it is submitted that all of the pending claims, i.e., claims 1-13 are not rendered obvious by the prior art of record. Therefore, it is respectfully submitted that this Request for Reconsideration After Final Rejection places the application in condition for allowance; does not raise new issues that require further consideration and/or search; and does not raise the issue of new matter. Accordingly, Applicants respectfully request that this Request for Reconsideration After Final Rejection be entered and that this application be passed to issuance.

Should the Examiner believe that a conference would advance the prosecution of this application, the Examiner is requested to telephone the undersigned to arrange such a conference.

Respectfully submitted,



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